

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**vs.**

**JAVIER NEVAREZ-RIVERA,**

**Defendant.**

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**Case No. 8:11CR322**

**ORDER**

This case is before the court on the defendant Javier Nevarez-Rivera's Motion for Further Detention Hearing and Conditional Release (#18). The motion is denied.

On September 27, 2011 the court held a detention hearing pursuant to 18 U.S.C. § 3142(f) of the Bail Reform Act. The court ordered the defendant detained pursuant to 18 U.S.C. § 3142(e). The court entered a Detention Order (#11) setting out the reasons for detention. Defendant's motion for further detention hearing contains no additional evidence or information that would cause the court to reconsider its ruling. This is particularly true given the defendant's prior removal from the United States in 2005, his use of aliases, his pending immigration case, his record of failure to appear, and his prior felony convictions (burglary in 1996 and possession of controlled substance in 2004).

**IT IS ORDERED:** That defendant's Motion for Further Detention Hearing and Conditional Release (#18) is denied without hearing.

Dated this 7th day of November 2011.

BY THE COURT:

S/ F.A. Gossett, III  
United States Magistrate Judge